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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: MAUCHER *et al.* Examiner: NYA  
Serial No: 10/542,113 Group Art Unit: NYA  
Filing Date: July 13, 2005  
Title: METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE PLANTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**


Enclosed please find the following documents for the above-referenced patent application:

1. Written Assertion of Small Entity Status Under 37 CFR § 1.9(f) and 1.27(c) – Small Business Concern Organization for **Institute Fur Pflanzenbiochemie** (1 pg.); and
2. Written Assertion of Small Entity Status Under 37 CFR § 1.9(f) and 1.27(c) – Small Business Concern Organization for **Florisys Inc.** (1 pg.).

Kindly charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

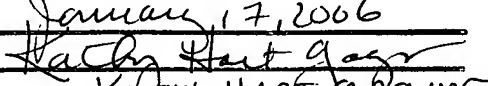
Respectfully submitted,  
CHOATE, HALL & STEWART LLP

Date: January 17, 2006

  
Charles E. Lyon, D.Phil.  
Reg. No.: 56,680

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313

on January 17, 2006  
  
KATHY HART

Applicant or Patentee: MAUCHER, Helmut et al.

Serial or Patent No.: 10/542,113

No.: \_\_\_\_\_

Filed or Issued: July 13, 2005

For: METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE PLANTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

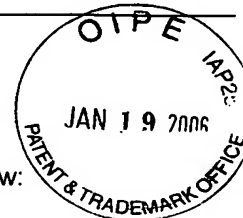
I hereby declare that I am:

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: INSTITUTE FUR PFLANZENBIOCHEMIE

ADDRESS OF CONCERN: Weinberg 3, D-06120 Halle/Saale, GERMANY



I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.1301 through 121.1305, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under sections 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE PLANTS

by inventor(s) MAUCHER, Helmut; MIERSCH, Otto; WASTERNAK, Claus; VARIN, Luc  
described in:

☐ the specification filed herewith

☒ application serial No. 10/542,113 filed on July 13, 2005

☐ patent No. \_\_\_\_\_ issued on \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

☐ See attached sheet for additional person(s), concern(s) or organization(s)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willfull false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Lothar Franzen

TITLE OF PERSON OTHER THAN OWNER Head of Administration

ADDRESS OF PERSON SIGNING D-06120 Halle (Saale), Weinberg 3, Germany

SIGNATURE Lothar Franzen DATE: Sept 4, 2005

Applicant or Patentee: MAUCHER, Helmut et al.

Serial or Patent No.: 10/542,113 No.: \_\_\_\_\_

Filed or Issued: July 13, 2005

For: METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE PLANTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: FLORISYS INC.

ADDRESS OF CONCERN: 1755, rue de l'Église, Saint-Laurent, Qc, CANADA, H4L 2J6

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.1301 through 121.1305, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under sections 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME INSTITUTE FUR PFLANZENBIOCHEMIE

ADDRESS Weinberg 3, D-06120 Halle/Saale, GERMANY

☐ INDIVIDUAL

☒ SMALL BUSINESS CONCERN

☐ NON-PROFIT ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willfull false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: CHRISTIAN MATHIEU

TITLE OF PERSON OTHER THAN OWNER PRESIDENT & CEO

ADDRESS OF PERSON SIGNING 1755 DE L'EGLISE STREET, ST-LAURENT, QC, CANADA H4L

SIGNATURE [Signature]

DATE: 14 September 2005

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